

REMARKS

Claims 1-39 are pending in this application, of which Claims 1, 23, and 31-39 are independent. Claims 1-3, 27, 34, 36, and 38 have been amended to define still more clearly what Applicants regard as their invention; no change in scope of these claims is either intended or believed to be effected by these changes.

Applicants note with appreciation the allowance of Claims 1-35, 38, and 39.

The Office Action objected to the drawings because block 603 of Fig. 7 should be changed from “DISCRETE WAVELET TRANSFORMER” to --INVERSE DISCRETE WAVELET TRANSFORMER--. Applicants have amended Fig. 7 accordingly, and the attached sheet of drawing replaces the original sheet including Fig. 7. It is believed that the objection to Fig. 7 has been remedied, and its withdrawal is therefore respectfully requested.

The Office Action objected to the specification for the reasons given at paragraph 4. Applicants have amended the specification accordingly, and withdrawal of the objection to the specification is respectfully requested.

Claims 36 and 37 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Office Action states that the terminology “computer program product” alone has no set definition.

MPEP § 2106 (subsection IV(B)(1)(a)) states that a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program’s functionality to be realized, and is thus

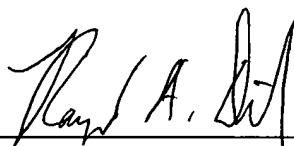
statutory. Analogously, Claims 36 and 37 recite a "computer program product embodying a program." Because, according to one embodiment, a computer-readable medium may be a type of "computer program product," it is believed that Claims 36 and 37 recite statutory subject matter. Indeed, a search of the USPTO website database has revealed that the USPTO has granted a number of patents having claims directed to a computer program product. See, e.g., U.S. Patents 6,789,250; 6,789,257; and 6,789,281.

For at least the foregoing reasons, withdrawal of the rejection of Claims 36 and 37 under 35 U.S.C. § 101 is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants
Raymond A. DiPerna
Registration No.: 44,063

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200